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July 14, 2021

Marlboro Township Zoning Board of Adjustment
1979 Township Drive
Marlboro, NJ 07746

**Re: Real Edge, LLC (20-6723A)
Preliminary and Final Major Subdivision – Engineering and Planning Review #1
Block 120.02 Lot 38
Location: 14 Wooleytown Road and Sorrel Drive
Zone: RSCS (Residential)
CME File No.: HMRZ0120.14**

Dear Board Members:

Our office received the following information in support of the above-referenced application for Preliminary and Final Major Subdivision approval:

- Major Subdivision Plan (15 sheets) prepared by Newlines Engineering & Survey dated April 28, 2021, unrevised;
- Boundary & Topographic Survey (1 sheet) prepared by Newlines Engineering & Survey, dated March 30, 2021, unrevised;
- Architectural Floor Plan and Elevations (1 sheet) prepared by Brian S. Flannery dated April 21, 2021, unrevised;
- A Development Application.

In accordance with your authorization, our office has reviewed the Preliminary and Final Major Subdivision application package for the above-referenced site and offer the following comments:

1. Project Description and Approval History

The subject 0.8 acre property is a corner lot within an RSCS Zone District and contains 124 feet of frontage along Wooleytown Road to the southwest and 355 feet along Sorrel Drive to the southeast. Currently, the property contains a 1-story dwelling with an inground swimming pool, patio area, pond area, perimeter rear yard fencing, and a paved driveway along the Wooleytown Road site frontage.

The Applicant was granted Use Variance approval on March 9, 2021 for a proposed single family dwelling; whereas single family dwellings are not a permitted use in the RSCS Zone.



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The Applicant is now seeking Preliminary and Final Major Subdivision Approval to subdivide the approximate 0.8 acre property into two (2) new lots as follows:

- Proposed Lot 38.01 will be a 19,164 s.f. corner lot, with 124 feet of frontage along Wooleytown Road and 154 feet of frontage along Sorrel Drive. A 10 foot wide right-of-way easement is indicated along the Wooleytown Road frontage as well as a sight triangle easement to Marlboro Township at the Sorrel Drive intersection on the proposed lot. A four (4) foot wide, 514 s.f. pavement widening is also proposed along the frontage of Wooleytown Road. The existing dwelling is indicated to remain and the existing inground pool is indicated to be removed. The improvements on this Lot are limited to removal of the pool, portion of the concrete patio, and street trees, as well as the planting of new trees to the rear of the existing dwelling.
- Proposed Lot 38.02 will be 15,584 s.f. in size and provide 201 feet of frontage along Sorrel Drive. The lot would be developed with a future single-family dwelling along with new landscaping, public sanitary sewer and water, and a drywell for stormwater management purposes. The proposed dwelling is indicated to be two-stories and 3,676 s.f. in size. The existing pond is indicated to be removed.

The Resolution of Approval, dated April 6, 2021, for Use Variance Approval is subject to the following conditions:

- a. **Condition #1** – The development of the site shall take place in strict conformance with the testimony, plans and drawings which have been submitted to the Board with this application which are to be revised based on the Board’s determination as follows:
No comment necessary.
- b. **Condition #2** – Except where specifically modified by the terms of this Resolution, the Applicants shall comply with all recommendations contained in the reports of the Board’s professionals.
Outstanding technical comments shall be addressed by the Applicant.
- c. **Condition #3** – The Applicant is required to obtain bifurcated preliminary and final major subdivision approval from this Board pursuant to N.J.S.A. 40:55D-48 and 50.
The Applicant is seeking Preliminary and Final Major Subdivision approval at this time.
- d. **Condition #4** – The pool and deck are required to be removed.
The existing pool and adjacent patio are proposed to be removed.



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- e. **Condition #5** – All bulk standards of the RSCS Zone shall be complied with.
The proposed plan complies with the bulk standard of the RSCS Zone.
- f. **Condition #6** – The Applicant shall submit architectural plans with the bifurcated application seeking preliminary and final major subdivision approval.
Architectural plans have been submitted with the Preliminary and Final Major Subdivision application.
- g. **Condition #7** – The Applicants shall certify that taxes are paid to date of approval.
To be verified by the Board Secretary.
- h. **Condition #8** – Payment of all fees, costs, escrows due or to become due. Any monies are to be paid within twenty (20) days of said request by the Board Secretary.
To be verified by the Board Secretary.
- i. **Condition #9** – Subject to all other applicable rules, regulations, ordinances and statutes of the Township of Marlboro, County of Monmouth, State of New Jersey or any other jurisdiction.
Upon receipt, copies of all approvals shall be provided to our office.

2. Surrounding Uses

Properties surrounding the subject site north of Wooleytown Road, including opposite Sorrel Drive, are similarly zoned RSCS containing a mix of residential parcels. Properties opposite Wooleytown Road are zoned LC and contain residential parcels opposite the subject site.

3. Zoning Compliance

The subject property is situated within an RSCS Zone District. The table below summarizes the zone requirements and bulk measures for the proposed lots as per requirements in effect when single-family residential was a permitted use within said zone:



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DESCRIPTION	REQUIRED	LOT 38.01	LOT 38.02
Minimum Lot Area	7,500 s.f.	19,164 s.f.	15,584 s.f.
Minimum Lot Frontage	75 feet	124 feet (Wooleytown Road) 154 feet (Sorrel Drive)	201 feet
Minimum Lot Width	75 feet	153 feet ±	180 feet ±
Minimum Lot Depth	100 feet	124 feet ±	124 feet ±
Minimum Front Yard Setback	25 feet	25.6 feet	25 feet
Minimum Side Yard Setback	10 feet	18.4 feet	15.5 feet
Minimum Rear Yard Setback	30 feet	37.1 feet	47.7 feet
Minimum Rear Yard Setback (Accessory)	20 feet	N/A	N/A
Maximum Building Height	35 feet	< 35 feet	31.16 feet
Maximum Building Height (Accessory)	15 feet	N/A	NA
Maximum % of Lot Coverage (Buildings)	32%	15.8%	14.2%
Maximum % of Lot Coverage (Impervious)	38%	33% ±	25% ±

Other than the Use Variance that was previously approved, the Applicant has not requested any additional variances and/or design waivers with this application, nor were any subsumed into the Use Variance approval.



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The following existing condition would appear to remain pertinent to the property:

- a. **Section 220-95C** – All fences must be erected within the property lines; whereas the existing fence encroaches into Lot 30 to the North.

The following variance would appear necessary with this Application:

- a. **Section 220-95A** – Fences shall be open fences not to exceed three feet in height above ground level when located in a front yard area and not to exceed six feet when located in a side or rear yard. An existing fence is located within the designated side yard of the existing property, fronting Sorrel Drive, and portions are both designated to remain and to be removed. The fence that is to remain on proposed Lot 38.02 is now in a front yard and appears to exceed three feet in height. This fence is located on top of a retaining wall and is serving as the safety barrier.

The following design waivers would appear necessary with this Application:

- a. **Section 220-159A** – An environmental impact report shall accompany all applications for major subdivision and site development plans and shall provide the information needed to evaluate the effects of the proposed development upon the environment and shall include data, be distributed, reviewed and passed upon by the approving board; whereas an environmental impact report has not been provided.
 - b. **Section 220-159.1** – A preliminary site investigation report and soil sampling report shall be filed by the Applicant; whereas such report has not been provided.
 - c. **Section 220-169A** – Detached single-family dwellings shall have a minimum two-car garage, attached to or detached from the principal building, having a minimum area of 400 square feet and shall provide a minimum twenty-foot-wide driveway connecting the garage to the adjacent street constructed in accordance with the requirements contained herein. The proposed garage is less than 400 s.f., does not connect to the driveway, and the driveway is 18 feet wide.
4. The Applicant has not requested any waivers from providing required ordinance and/or checklist submission items. The following required ordinance and/or checklist submission items shall be provided or waivers requested:
- a. Completed Preliminary and Final Major Subdivision Checklists
 - b. **Checklist II, Item C & Checklist III, Item E** – A key map showing the entire subdivision and its relation to surrounding areas using a radius of 1,500 feet at a scale of not less than one inch equals 400 feet.



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c. **Checklist II, Item J** – Stormwater management design and calculations.

5. This application is subject to the requirements of the Residential Site Improvement Standards (RSIS) adopted as NJAC 5:21-1 et. seq. The Applicant has not requested any waivers or de minimus exceptions from the RSIS requirements. An agreement to exceed said requirements should be filed with the DCA for any improvements which exceed the RSIS.
6. Based on our review of the subject application, we estimate that the following fees are required:

a. **Nonrefundable Application Fees:**

Preliminary Major Subdivision Application	\$500.00
Preliminary Plat Review (\$100 x 2 Lots)	\$200.00
Final Plat Application	\$500.00
Final Plat Review (\$50 x 2 Lots)	\$100.00
Bulk Variance (Residential Fence)	\$150.00
EIS Waiver Request	\$100.00
Subtotal:	\$1,550.00

b. **Professional Services Escrow Fees:**

Major Subdivision 25 Lots or Less	\$2,500.00
Bulk Variance (Residential Fence)	\$1,200.00
Subtotal:	\$3,700.00

We recommend the Township collect \$1,550.00 in nonrefundable application fees and \$3,700.00 in professional services escrow fees from the Applicant prior to deeming the application complete. In addition, the Applicant will be required to pay all applicable revision fees as stipulated in the Township Ordinances.

7. The Applicant should be prepared to discuss the following issues with the Board:
- a. The proposed stormwater management of the site and compliance with NJDEP requirements regarding quantity, quality, and recharge.



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- b. Verify General Note #14 which says solid waste and recycling to be collected by a private collector.
 - c. The Architectural Plans indicate an attached garage is proposed; however, the Layout and Dimension Plan shows the garage door fronting a landscape bed and does not provide vehicular access. The Applicant shall discuss compliance with Section 220-35D(10) and 220-169A.
 - d. The condition of the existing fences. In addition, it appears the existing rear yard fence, which will become the side yard for proposed Lot 38.02, encroaches within Lot 30 to the North by as much as eight (8) feet.
 - e. Verify the proposed 10 foot wide Monmouth County Easement, as Wooleytown Road appears to be a Township Road.
 - f. The need for any improvements (curb, sidewalk, widening, right-of-way dedication, etc.) along the roadway frontages.
8. Based upon our review, we note the following:
- a. Revise the Final Plat as follows:
 - i. Include the bearings and distances for the 10 foot wide right-of-way easement.
 - ii. Provide documentation that the proposed Lot numbers have been approved by the Township Tax Assessor or add a note on the plan.
 - iii. Verify the date of the survey in General Note #9.
 - iv. Revise the Planning Board Secretary signature block to note Zoning Board, Monmouth County, and 95 days instead of 190 days.
 - v. Revise the owner's signature to include the correct Township, County and Block/Lot numbers.
 - b. Revise the signature block on the Cover Sheet and Final Plat to note the correct Municipality and the correct Board.
 - c. Revise the setback lines depicted on both lots to provide the correct setback requirements.



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- d. The existing pool appears to be depicted on all the sheets and should be removed as noted on the Demolition Plan.
- e. The Layout and Dimension Plan should indicate that the proposed curb is granite curb, and a detail should be provided for same. A detail for a concrete curb is provided, which would require a design waiver from Section 220-146A.
- f. Provide a safety railing along the wall next to the exterior stairs leading to the basement door.
- g. Indicate the location of the gas and electric services to the proposed dwelling.
- h. Revise the Recharge Trench detail as follows:
 - i. Revise the dimension of the total width as well as the elevation of the top of pipe and top of trench.
 - ii. Revise note #2 to indicate that the filter fabric should be installed on all sides and top but not the bottom of the system.
 - iii. Provide a calculation demonstrating the capacity of the system to demonstrate that it is sized accurately.
- i. Indicate the material of the proposed driveway on Lot 38.02 and provide a detail for same in accordance with the standards outlined in Section 220-169A.
- j. Indicate the information for both soil borings on the Demolition Plan; whereas only Boring #1 is provided.
- k. Revise the Street Cross Section, Pavement Repair, and Road Widening details to indicate a 5 inch base course in accordance with Section 220-184O(1).
- l. Remove additional existing trees that are located within the proposed sight triangle easement.
- m. Verify if existing tree #114 is to be removed as shown on the Demolition Plan or is to remain as shown on the Tree Replacement and Protection Plan.
- n. The trees that are proposed to be removed along Wooleytown Road shall be included in the tree replacement calculation.



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- o. Our office recommends providing an alternative to the proposed Red Oak trees for the site because they are common hosts for Bacterial Leaf Scorch.
 - p. The Planting List indicates thirty (30) Green Giant Arborvitae are to be installed. The plans do not graphically depict a location for the Arborvitae. Remove from plant list or indicate on the plans where they are to be installed.
 - q. The Planting List indicates two (2) Street Tree varieties that are not used on the plan. These should be removed from plant list to prevent confusion.
 - r. Revise the plan at the front porch entrance to indicate what specie the two plants that are currently indicated as “1 CF” are proposed to be.
 - s. Revise the Tree Planting Details to indicate that mulch should not be placed around the tree’s root collar.
 - t. Remove grading lines, existing wood lines, and other extraneous information from the Landscaping Plan so the landscape plan notes can be read and to prevent confusion during construction.
 - u. The soil borings must demonstrate that the basement floor is at least two (2) feet above the seasonal high water table. Although groundwater was not encountered, the boring was not completed to a depth that is at least two feet below the proposed basement floor elevation.
9. This application may be subject to the following outside agency approvals:
- a. Monmouth County Planning Board
 - b. Freehold Soil Conservation District
 - c. Marlboro Township Environmental Commission
 - d. Marlboro Township Fire Bureau
 - e. Marlboro Township Police Department
 - f. Western Monmouth Utilities Authority
 - g. Marlboro Township Water Department
 - h. All other outside agency approvals as may be required

The Applicant shall address the Board regarding the status of all outside agency approvals for the project. In addition, copies of all outside agency approvals shall be forwarded to our office.



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Based upon the minor nature of the information requested, we recommend that this application be deemed complete subject to the Applicant complying with all applicable notification requirements as set forth in the Marlboro Township Land Use Ordinance and the Municipal Land Use Law and the granting of the various submission waivers indicated above.

The right is reserved to present additional comments pending the receipt of revised plans and/or the testimony of the Applicant before the Board.

If you have any questions regarding the above matter, please do not hesitate to call.

Very truly yours,

Laura J. Neumann, PE, PP
Zoning Board of Adjustment Engineer and Planner

LJN/JAR/MDG

cc: Dean Staknys, PE – Assistant Township Engineer
Ronald Cucchiaro, Esq. – Zoning Board Attorney
Real Edge, LLC – Applicant
Newlines, Engineering & Survey – Applicant's Engineer
Daniel Alfieri, Esq. – Applicant's Attorney